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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,418	09/20/2001	Shane Lincke	10558-005-999	5538

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EXAMINER

BHATIA, AJAY M

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,418

Applicant(s)

LINCKE, SHANE

Examiner

Ajay M. Bhatia

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Arguments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Kardos et al. (U.S. Patent 6,430,562).

For claim 1, Kardos teaches, a computer aided dispatch system comprising:

a master dispatch database comprising one or more data tables, each data table having one or more entries, each containing information pertaining to the dispatch of services by one or more mobile units; (see Kardos, Col. 3 line 56 to Col. 4 line 13, Col. 15 lines 47-56)

a central dispatch computer system capable of accessing the master dispatch database; (see Kardos, Col. 3 line 56 to Col. 4 line 13)

one or more mobile terminals, comprising a processor and a local dispatch database; (see Kardos, Col. 15 lines 47-56, Col. 15 line 66 to Col. 17 line 20)

wherein, whenever a change is made to the master dispatch database by the central dispatch computer system, the change is automatically sent by the central dispatch computer system to the one or more mobile terminals, which in turn each make a substantially similar change to its local dispatch database; (see Kardos, Col. 16 lines 28-42)

and wherein the one or more mobile terminals are configured to respond to dispatches by traveling to a dispatch site and the computer aided dispatch system provides real time status information regarding calls and mobile unit availability to the one or more mobile terminals. (see Kardos, Col. 17 lines 1-7, Col. 22 lines 34-49, Col. 20 lines 5-23)

For claim 2, Kardos teaches, the system of claim 1 wherein the change is sent by the central dispatch computer system at substantially the same time the change is made to the master dispatch database. (see Kardos, Col. 16 lines 28-42, Col. 22 lines 21-32)

For claim 3, Kardos teaches, the system of claim 2 wherein the change is one of an addition of a new entry in the master dispatch database, a modification of an existing

entry in the master dispatch database, and a deletion of an entry in the master dispatch database. (see Kardos, Col. 21 lines 41-58)

For claim 4, Kardos teaches, the system of claim 3 wherein the master dispatch database comprises a master call data table and the local dispatch database on each mobile terminal comprises a local call data table, each entry in the master call data table and the local call data table containing information about a matter for which services must be dispatched. (see Kardos, Col. 21 lines 22-36, Col. 15 line 66 to Col. 17 line 20)

For claim 5, Kardos teaches, the system of claim 4 wherein the master dispatch database further comprises a master unit data table and the local dispatch database on each mobile terminal further comprises a local unit data table, each entry in the master unit data table and the local unit data table containing information about one of the mobile units. (see Kardos, Col. 12 lines 34-49)

For claim 6, Kardos teaches, the system of claim 2 wherein the central dispatch computer system comprises a dispatch server and a gateway computer, wherein the dispatch server is capable of making the change to the master dispatch database and the gateway computer is capable of accessing the master dispatch database and sending information about new, modified and deleted entries to the one or more mobile terminals. (see Kardos, Col. 12 lines 34-49, Col. 15 line 66 to Col. 17 line 20, Col. 16 lines 28-42, Col. 22 lines 21-32)

For claim 7, Kardos teaches, the system of claim 6 wherein each entry in the master dispatch database comprises a send field, indicating whether the entry should be sent to the one or more mobile terminals. (see Kardos, Col. 21 lines 22-36)

For claim 8, Kardos teaches, the system of claim 7 wherein the gateway computer accesses the master dispatch database and sends to the one or more mobile terminals information regarding those entries in which the send field is set to indicate that the entry should be sent. (see Kardos, Col. 21 lines 22-36)

For claim 9, Kardos teaches, the system of claim 8 further comprising a switch attached to the gateway computer capable of wireless transmission and wherein the one or more mobile terminals further comprise a wireless modem that is attached to the processor. (see Kardos, Col. 15 lines 47-56)

Claims 10-18 list all the same elements of claims 1-9, but in method form rather than system form. Therefore, the supporting rationale of the rejection to claims 1-9 applies equally as well to claims 10-18.

Conclusion

Applicant is suggest to consider the prior art provided in the sighted 892 when formulating any additional amendments, since the cited art provides additional patents and pre-grant publications are/is in same filed of invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER